



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CrI.O.P.(MD)No.4991 of 2019

L.Durai Raj

... Petitioner

/Vs./

1. The Superintendent of Police,
Trichy District, Trichy.
2. The Deputy Superintendent of Police,
Lalgudi, Trichy District, Trichy.
3. The Inspector of Police,
Samayapuram Police Station,
Samayapuram, Trichy.
- 4.Sesu Raj
- 5.Edward Singarayar
- 6.Gracy Mary
- 7.Muthaparanam

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents 1 to 3 herein to give adequate police protection to the petitioner for fencing his property and protect the life and limb of the petitioner and his family and initiate action against the respondents 4 to 7 based on the complaint of the petitioner dated 22.03.2019.

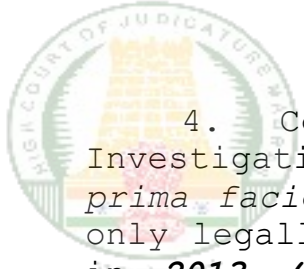
For Petitioner : Mr.N.Mari Muthu
For R-1 to R-3 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The petitioner complains that the respondents 4 to 7 are his relatives, that sometime in 2019, the Thasildar has measured the property and based on which, boundary stones were already laid, that the private respondents are causing hindrance to the petitioner and hence, a complaint is preferred to the police. He also apprehends threat to his life, limb and liberty.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

3. The learned Additional Public Prosecutor submitted that the complaint preferred by the petitioner is being enquired in C.S.R.No.75 of 2019.



4. Considering the facts and circumstances of the case, the Investigating Officer is instructed that if the complaint discloses *prima facie* commission of any cognizable offence, he needs to act only legally in accordance with the dictum of the judgment reported in **2013 (6) CTC 353 [Lalitha Kumari Vs. Government of Uttar Pradesh]**. As far as the threat to the life, limb and liberty of the petitioner is concerned, the third respondent is directed to cause such necessary enquiry on the complaint preferred by the petitioner and take such appropriate decision as may be necessary to protect the life, liberty and right to the property of the petitioner.

5. With the above direction, this Criminal Original Petition is disposed of.

6. It is made clear that this Court does not order granting of police protection 24 x 7 and the third respondent is left to decide on the basis of the objective assessment of the threat perception of the petitioner from time to time.

sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Trichy District, Trichy.
2. The Deputy Superintendent of Police,
Lalgudi, Trichy District, Trichy.
3. The Inspector of Police, Samayapuram Police Station,
Samayapuram, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.N.MARIMUTHU, Advocate (SR-58650[F] dated 03/04/2019)

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